

REMARKS/ARGUMENTS

In response to the Restriction Requirement dated October 7, 2003, Applicants elect Group I (claims 1-48).

With respect to the required species election, Applicants elect:

- a) prodrug activating enzyme: HSV thymidine kinase;
- b) immune response modifying agent: GM-CSF;
- c) expression controlling agent: radiation in the form of sub-atomic particles; and
- d) antitumor drug: Cyclophosphamide.

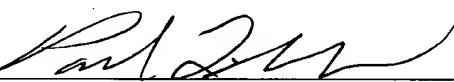
Claims 1-25, 30 and 32-48 read on the elected species.

In view of the foregoing, the claims are now believed to be in form for allowance, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to contact the undersigned at the telephone number listed below.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By: 
Paul L. Sharer
Registration No. 36,004
Direct No. (703) 905-2180

1600 Tysons Boulevard
McLean, VA 22101
(703) 905-2000 Telephone
(703) 905-2500 Facsimile

Date: January 7, 2004